



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

DAC #3

Patent Application

Inventor(s) Atul Kumar Srivastava
James William Sulhoff
Yan Sun

Charles L. Wolf
Jianhui Zhou
John Lehrer Zyskind

CASE 14-21-13-1-4-28

Serial No. 09/485,877

Filing Date June 18, 1999

Group Art Unit

Examiner

Title Gain Tilt Control With Mid-Stage Attenuators In
Erbium-Doped Fiber

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OCT 11 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS

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BOX DAC

WASHINGTON, D. C. 20231

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24 OCT 2000

SIR:

PETITION FOR REVIVAL

Legal Staff
International Division

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS
APPLICATION.

1. PETITION FEE

The Commissioner is hereby authorized to debit Lucent Technologies Deposit Account No. 12-2325 as required for consideration of this petition.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on Oct. 6, 2000

Kim Stone
KIM STONE
(Date of Deposit)
10/6/00
Date

2. REPLY

The reply and/or fee to the above-noted Office Action in the form of a "*Petition Under Rule 1.41*" is enclosed herewith.

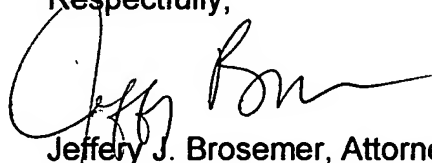
3. TERMINAL DISCLAIMER

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully,



Jeffery J. Brosemer, Attorney
Reg. No. 36096
Phone 732-949-6710
Fax 732-949-0292

Date: 10-6-00

**Lucent Technologies Inc.
600 Mountain Avenue (Room 3C-512)
P.O. Box 636
Murray Hill, New Jersey 07974-0636**

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SIR:

PETITION UNDER 37 C.F.R. 1.41

The applicants respectfully petition the Commissioner under Rule 1.41 to revive the above-identified Application wherein a joint inventor refuses to sign an oath or declaration. The pertinent facts are as follows:

1. U.S. Application No. 09/485,877 was filed on June 18, 1999 in the names of Atul Kumar Srivastava, James William Sulhoff, Yan Sun, Charles L. Wolf, Jianhui Zhou and John Lehrer Zyskind, claiming the benefit of U.S. Provisional Application No. 60/089,967 filed June 19, 1998.
2. Each of the named inventors with the exception of John Lehrer Zyskind have executed Declaration and Assignment documents (attached hereto as Attachment "A").
3. On two separate occasions, January 18, 2000 and April 13, 2000, Express Mailings were made to John L. Lehrer Zyskind containing Declaration and Assignment documents along with pre-paid Express Mail return envelopes (attached hereto as Attachments "B" and "C", respectively).

4. John Lehrer Zyskind has not responded to either of these mailings or telephone calls.

5. The current address of John Lehrer Zyskind is:

John Lehrer Zyskind
Sycamore Networks
10 Elizabeth Drive
Chelmsford, Massachusetts 01824

His telephone number at that address is: (978) 367-2005.

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OCT 11 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Authorization is granted to the Commissioner to debit Lucent Technologies Inc.
Deposit Account No. 12-2325 for the pertinent fees required for this Petition.

Respectfully



Jeffery J. Brosemer, Attorney
Reg. No. 36096
Phone 732-949-6710
Fax 732-949-0292

Date: 10.6.00

Lucent Technologies Inc.
600 Mountain Avenue (Room 3C-512)
P.O. Box 636
Murray Hill, New Jersey 07974-0636

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